

COMMONWEALTH OF KENTUCKY
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION OF BIG RIVERS)	CASE NO.
ELECTRIC CORPORATION FOR)	2021-00378
ENFORCEMENT OF COMMISSION ORDER)	

ORDER

On November 12, 2021, the Commission scheduled a hearing in this matter for November 29, 2021 to address the city of Henderson, Kentucky's motion to intervene and other procedural issues. On November 15, 2021, the city of Henderson, Kentucky, and the Henderson Utility Commission, d/b/a Henderson Municipal Power & Light (collectively, Henderson) filed a motion to reschedule the hearing because its counsel will be out of town at the time of the hearing and requested that the hearing be scheduled at some point after the week of November 29, 2021, due to other conflicts in counsel's schedule. On November 16, 2021, Big Rivers Electric Corporation (BREC) responded and indicated that it did not object to the motion to reschedule but requested that the hearing be rescheduled for a date later in the same week.

The Commission understands that counsel for Henderson was previously scheduled to be out of town at the time of the November 29, 2021 hearing and generally seeks to accommodate the schedules of parties. However, the Commission has few open dates for hearings during the remainder of this year. Further, the Commission notes that the purpose of this hearing is not to address the substance of the application, but rather is intended to take evidence and argument, as necessary, in support of Henderson's

motion to intervene and to address other procedural issues as necessary. The Commission does not anticipate the hearing taking a substantial amount of time or being very complex and notes that Henderson has more than one counsel who should be able to virtually attend the hearing in order to represent Henderson. Thus, the Commission finds that Henderson's motion to reschedule the hearing should be denied. In denying the motion, the Commission will convert the hearing to a fully virtual hearing to make it easier for the representatives of all parties to attend, given the scheduling issues raised.

IT IS THEREFORE ORDERED that:

1. Henderson's motion to reschedule the November 29, 2021 hearing is denied.
2. The November 29, 2021 hearing in this matter shall be conducted via video conference.
3. Commission Staff shall provide the parties with details for joining the hearing via video link.

By the Commission

ENTERED
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KENTUCKY PUBLIC
SERVICE COMMISSION

ATTEST:


Executive Director

Case No. 2021-00378

*Jody Kyler Cohn
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Honorable Kurt J Boehm
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Honorable Michael L Kurtz
Attorney at Law
Boehm, Kurtz & Lowry
36 East Seventh Street
Suite 1510
Cincinnati, OHIO 45202

*Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*Senthia Santana
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420

*Tyson Kamuf
Corporate Attorney
Big Rivers Electric Corporation
201 Third Street
P. O. Box 24
Henderson, KY 42420